

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

|                     |   |  |
|---------------------|---|--|
| DANIEL BRYAN KELLY, | ) |  |
|                     | ) |  |
| Plaintiff,          | ) |  |
|                     | ) |  |
| vs.                 | ) | Civil Action No. 2:05-cv-01150-MHT-TFM |
|                     | ) |  |
| RICKY OWENS, et al. | ) |  |
|                     | ) |  |
| Defendants.         | ) |  |

PLAINTIFF'S MOTION FOR EXTENSION OF TIME

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Comes now the Plaintiff and moves the Court to extend the time with respect to the Scheduling Order as it relates to discovery cutoff, dispositive motions and trial. Plaintiff requests the Court will extend these time frames for an additional ninety (90) days and for grounds says as follows:

1. For the past three months Plaintiff's counsel has been involved with addressing matters relating to his elderly parents, both of whom have been in the hospital, and one of whom continues to be.
2. Plaintiff's counsel has discussed this matter with defense counsel and defense counsel does not object, and in fact, agrees to the request in this Motion.
3. Due to the nature of illness counsel prefers not to memorialize this in writing, but will be more than happy to provide details over the

telephone.

WHEREFORE, premises considered, Plaintiff prays the Court will extend time frames in this case for ninety (90) days.

Respectfully submitted,

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| DANIEL BRYAN KELLY, | ) |  |
| Plaintiff,          | ) |  |
| vs.                 | ) | Civil Action No. 2:05-cv-01150-MHT-DRB |
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| Defendants.         | ) |  |

**CERTIFICATE OF SERVICE**

I hereby certify that on July 17, 2007, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will automatically send e-mail notification to the following attorneys of record:

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and Ricky Owens:**

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